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5 Attorneys for Defendant  
6 SMITH'S FOOD & DRUG CENTERS, INC.

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 DEREK CRISAFULLI, an Individual,  
10 Plaintiff,

11 v

12 SMITH'S FOOD & DRUG CENTERS, INC.,  
dba Smiths, a division of THE KROGER CO.;  
13 an Ohio Corporation; DOES I through XX,  
inclusive, and ROE CORPORATIONS I  
14 through XX, inclusive,

15 Defendants.

Case No. 2:17-cv-01584-APG-PAL

**STIPULATION TO EXTEND DEADLINE  
TO FILE DISPOSITIVE MOTIONS AND  
JOINT INTERIM STATUS REPORT**

**(Second Request)**

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17 WHEREAS, pursuant to the Stipulation and Order of this Court (ECF 22), the parties are to  
18 file Dispositive Motions and the Joint Interim Status Report on or before February 19, 2018; and

19 WHEREAS, the parties have been actively engaged in completing discovery and preparing  
20 this case for trial; and

21 WHEREAS, the parties have recently agreed to participate in a private mediation on  
22 February 27, 2018 and have focused their efforts on having a successful mediation to resolve this  
23 case and do not believe that filing dispositive motions and/or the joint status report prior to the  
24 mediation would be advantageous to the parties or the court; and

25 WHEREAS the parties are requesting additional time to complete and file dispositive  
26 motions, so that it can be done in a meaningful and thorough manner *if* the case does not settle at  
27 mediation; and

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1 WHEREAS, the parties do not enter into the Stipulation to cause any undue delay;

2 IT IS HEREBY STIPULATED AND AGREED, by and between Stephen G. Clough, Esq. of  
3 the law firm MAIER GUTIERREZ & ASSOCIATES as counsel for Plaintiff DEREK  
4 CRISAFULLI, and Jerry S. Busby, Esq., of the law firm COOPER LEVENSON, P.A., as counsel  
5 for Defendant SMITH'S FOOD & DRUG CENTERS, INC., that the deadline for filing the  
6 dispositive motions and joint interim status report be extended until one week after the schedule  
7 private mediation, until March 6, 2018.

8 Respectfully submitted this 20th day of February, 2018.

9 MAIER GUTIERREZ & ASSOCIATES

COOPER LEVENSON, P.A.

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/s/ Stephen G. Clough

/s/ Jerry S. Busby

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Joseph A. Guitierrez, Esq.

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SMITH'S FOOD & DRUG CENTERS,  
INC.

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Attorneys for Plaintiff

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DEREK CRISAFULLI

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IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: February 21, 2018